UNITED STATES OF AMERICA BEFORE THE NATIONAL LABOR RELATIONS BOARD

PAC TELL GROUP, INC., d/b/a U.S. FIBERS Employer

and

Case 10-RC-101166

UNITED STEEL, PAPER AND FORESTRY, RUBBER, MANUFACTURING, ENERGY, ALLIED INDUSTRIAL AND SERVICE WORKERS INTERNATIONAL UNION, LOCAL 7898 Petitioner

ORDER

The Employer's Motion for Reconsideration of the Board's May 31, 2013 Order denying review of the Acting Regional Director's Decision and Direction of Election is denied.¹

MARK GASTON PEARCE, CHAIRMAN

RICHARD F. GRIFFIN, JR., MEMBER

SHARON BLOCK, MEMBER

Dated, Washington, D.C., June 26, 2013.

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¹ The Motion is denied without prejudice to the Employer renewing its arguments as to the alleged supervisory status of Eduardo Sanchez, Jose Lal, David Martinez, and Aduaco Torres on exceptions to a report on objections or on a request for review of the Regional Director's decision.

The Employer, citing *Noel Canning v. NLRB*, 705 F.3d 490 (D.C. Cir. 2013), petition for cert. granted June 24, 2013 (No. 12-1281), contends that the Board should hold the proceeding in abeyance "until the Board's status to render final orders and judgments is resolved." For the reasons stated in *Bloomingdale's*, *Inc.*, 359 NLRB No. 113 (2013), this argument is rejected.